IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 14184 of 2004

Between:

D. Chandrasekara Rao S/o. Late Ramakrishnamma
Aided Primary School, Kaminaidupeta, Jalumuru Mandal,
Srikakulam District.

..... PETITIONER

AND

1 Government of A.P., rep. by its Principal Secretary, School Education

Department, A.P., Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, A.P., Hyderabad.
3 The District Education Officer, Srikakulam District, Srikakulam.
4 The Mandal Education Officer, Jalumuru Mandal, Jalumu, Srikakulam

District.
5 The District Treasury Officer, Srikakulam District, Srikakulam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd respondent in Rc.No. 33/B1-1/2003 dt. 29.6.2004 as highly illegal, arbitrary and unjust and consequently set aside the same.

Counsel for the Petitioner : MR.D.V.NAGARJUNA BABU

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following :

ORDER:

Heard both sides and at their request the main writ petition itself is taken up for disposal at the admission stage.

The petitioner herein, who is a correspondent, is aggrieved against the inaction on the part of the respondent No.1 in not taking up the stay application pending the appeal and passing no order thereon. The petitioner submits that having regard to the show cause notice issued to him, he filed an explanation and ultimately an order was passed on 29-06-2004 removing him from the post of the Correspondent. Against which, the petitioner already filed an appeal on 26-07-2004 along with an application seeking stay thereto. However, no orders have been passed.

Having considering the submissions made and also on perusal of the material on record, it is not necessary to go into the merits of the case, in view of the fact that substantive appeal is pending before the respondent No.1, involving several substantial questions, which had to be gone into. However, having regard to the fact no orders have been passed in the said application, when the petitioner is admittedly has been functioning, it is more desirable that the appeal to be disposed of earliest.

Accordingly, the 1st respondent is directed to dispose of the appeal within a period of eight weeks from the date of receipt of a copy of this order. Pending disposal of the appeal, the orders dated 29-06-2004, passed by the 2nd respondent, shall be stayed.

The Writ Petition is, accordingly, disposed of. No costs.

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B.PRAKASH RAO, J.

Dated 11-08-2004.

SKMR

To

1 The Principal Secretary, Government of A.P., School Education Department,

A.P., Secretariat, Hyd.
2 The Commissioner and Director of School Education, A.P., Hyderabad.
3 The District Education Officer, Srikakulam District, Srikakulam.
4 The Mandal Education Officer, Jalumuru Mandal, Jalumu, Srikakulam

District.
5 The District Treasury Officer, Srikakulam District, Srikakulam.

6. 2CCs to G.P. for Education, High Court of A.P., Hyderabad.(OUT).

7. 2CD copies.